

APPROVED: MEETING NO. 10-86

ATTEST:

*Helen M. Heneghan*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 5-86

February 10, 1986

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, February 10, 1986, at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: Acting City Manager Daniel Hobbs; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Mayor Van Grack reported the following:

1. A work session was held last week with the Housing Authority, Senior Citizens Commission and the Science and Technology Task Force. Mayor Van Grack said public recognition is due to Sandra Crewe for the tremendous job that has been done at the Housing Authority and the turn around in that operation.

2. Rockville has been accepted to represent the State of Maryland in the Wide World of Sports program "Super Run" on April 27 sponsored by the President's Commission on Physical Fitness.

3. In September, the City Manager, Larry Blick left and Assistant City Manager Daniel Hobbs took the reins. Mayor Van Grack expressed the appreciation of the entire Mayor and Council on behalf of the people for a job well done and the great job Mr. Hobbs has done.

Re: City Manager's Report

Mr. Hobbs reported the following:

1. On Thursday, February 13 there will be a City wide meeting of all the Neighborhood Watch Organizations at the Civic Center.
2. On Thursday, March 6, there will be a meeting of various groups to discuss parking for the District Court location in Rockville.
3. At the recent work session held with the Senior Citizens Commission, problems with pedestrian crossings were discussed. The bid on the agenda tonight is for a traffic signal reconstruction at Jefferson Street and Rollins Avenue. This should assist crossing.

Re: Presentation - Award  
for Humanities  
Project

Mr. Greg Bayor, Director of Recreation and Parks introduced Mr. Jeff Williams, who briefed the Mayor and Council on the Dorothy Mullins award which is presented through the National Recreation and Parks Association. The City has received the regional award for the mid-Atlantic area out of 25 entries and now will be a candidate for the National Award. Mrs. Eileen McGuckian presented the award to the City for its project - "Rockville Identity in Change", which came as a result of 24 oral history interviews and told how Rockville changed from a rural county seat to a metropolitan area.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Arlene Simons, 708 Carr Avenue. Ms. Simons presented the Mayor and Council with a copy of the Maryland Housing Policy Commission's Report.
2. Larry Cunnick, President of the Rockville Kiwanis and John Tyner, Ticket Chairman, told the Mayor and Council of the Kiwanis annual Pancake

Breakfast on March 1 which is held to benefit the Manna Food Project and presented them with complimentary tickets.

3. Robert Jacques. Mr. Jacques objected to the Mayor and Council about the service charge at First National Bank for him to pay his water bill. It would seem if the bank is a depository of City funds it should not pass on a service charge to the people.

He also told the Mayor and Council that there will be a pending surplus of retail and office space in Rockville-Montgomery area that could have a major impact on the City's cash flow so they should be aware of it.

4. John Tyner, 5911 Halpine Road. Mr. Tyner spoke on behalf of the Citizens Forum for Rockville's Future concerning the Master Plan for Arts. It is time the City had a comprehensive approach in a plan telling where art should go and how it should be selected. He complimented Cultural Arts Commission and Don Thalacker on the excellent job.

5. JoAnn Mazzetta. Ms. Mazzetta had several questions to the Mayor and Council on the Red Barn property which is the subject of a public hearing this evening. The Mayor explained that many of the questions that she was asking this evening would be answered in the presentation by the staff. She wanted to be assured the City benefits and assistance to the occupants would be no less than would be given by the Federal government.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

February 10, 1986

Re: Introduction of  
Resolution:  
Annexation Petition,  
X-99-86, William  
Rickman, Applicant,  
request to expand the  
corporate boundaries  
to include a 27,138  
square foot parcel  
located on the west  
side of I-270,  
approximately 460  
feet south of Shady  
Grove Road and  
placement in the I-3,  
Industrial Zone

On motion of Councilman Hartogensis, there was introduced upon the table a resolution to expand the corporate boundaries to include a 27,138 square foot parcel located on the west side of I-270, approximately 460 feet south of Shady Grove Road and placement in the I-3, Industrial Zone.

Re: Adoption of Resolu-  
tion: To set Public  
Hearing for Annexa-  
tion Petition, X-99-  
86, Wm. Rickman,  
Applicant

Resolution No. 8-86

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Resolution No. 8-86, the full text of which can be found in Resolution Book No. 8, of the Mayor and Council, setting the public hearing date of Annexation Petition, X-99-86, Wm. Rickman, Applicant, was adopted by the Mayor and Council

Re: Award of Contract:  
Bid No. 62-86,  
Traffic Signals

Bids were opened on Tuesday, February 4, for the installation of a new traffic signal at West Gude Drive and Research Boulevard, (Project No. 9C11) and reconstruction of an existing signal at Rollins Avenue and East Jefferson Street (Project No. 5K11).

Although the bids for each project have been evaluated independently, they are being grouped under a single bid number. This arrangement encourages lower unit costs based on purchasing larger quantities, and also allows the use of a single contract should one bidder be low on both projects.

Two sets of bids were received for these projects:

	9C11	5K11
Women in Construction, Inc., Rockville, MD	\$52,877.00	\$35,630.40
Hawkins Electric Co., College Park, MD	58,799.00	41,066.50
Engineer's Estimate	\$43,916.00	\$32,038.00

Staff was somewhat disappointed with the bid totals, but checks following the bidding revealed that both sets of bids are responsible and reasonable. Staff's estimate did not take into account the effects of recent SHA specification changes, which have greatly increased the cost of certain bid items, particularly loop detectors. Women In Construction has performed considerable traffic signal work for the City previously, and their performance has been excellent. Hawkins also has performed considerable work for the City and presently holds the City's signal maintenance contract. In addition to this bid, the City has also arranged for direct purchases from the SHA for new signal control equipment for these intersections. Total cost for this equipment, \$19,700, is divided almost equally between the two projects. A completion date of June 15 has been set for the two projects.

The staff recommends that Bid No. 62-86 be awarded to Women In Construction, Inc., for its low bids of \$52,877 and \$35,630.40 respectively.

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Bid No. 62-86 was awarded to Women In Construction, Inc., for its low bids of \$52,877 and \$35,630, respectively.

February 10, 1986

Re: Public Hearing:  
Urban Renewal Plan  
for Red Barn Property

The Mayor and Council conducted a public hearing on the Urban Renewal Plan for the Red Barn property and heard those persons as will be found in the official stenographic transcript of the public hearing. There being no other person wishing to be heard, the Mayor closed the hearing with the record to be held opened until February 21, 1986, at 5:00 p.m.

Re: Public Hearing: Text  
Amendment Applica-  
tion, T-73-85, to  
amend Section 2-102  
of Chapter 6, Zoning  
Ordinance, to  
increase the member-  
ship of the Planning  
Commission from the  
present five members  
to seven

The Mayor and Council conducted a public hearing on Text Amendment Application T-73-85, to increase the membership of the Planning Commission from the present five members to seven, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor closed the hearing with the record to be held opened until February 21, 1986, at 5:00 p.m.

Re: Adoption of  
Ordinance: To amend  
Section 12-1.18A of  
the "Laws of  
Rockville", Chapter  
12, entitled "Public  
Nuisances", to  
require real estate  
purchasers to examine  
only the Land Use  
Plan Map, instead of  
the entire Plan

Ordinance No. 2-86

On motion of Councilman Duncan, duly seconded and unanimously passed,

Ordinance No. 2-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council to require real estate purchasers to examine only the Land Use Plan Map, instead of the entire Plan, was adopted by the Mayor and Council.

Re: Presentation of  
Master Plan for Art  
in Public Places

Mr. Greg Bayor introduced Marilyn Scott, Chairman of the Cultural Arts Commission who addressed the Mayor and Council concerning the Art in Public Places Master Plan. Marilyn Scott presented the Master Plan to the Mayor and Council and highlighted the contents. After discussion with Donald Thalacker, the City's Art Consultant and Ms. Scott, the Mayor and Council thanked them for their efforts and accepted the Plan. It will be discussed at a work session in March with the Commission.

Re: Introduction of  
Ordinance: Mid Year  
Appropriations

On motion of Councilman Abrams there was introduced upon the table an ordinance for mid-year appropriations, said ordinance to lay over at least one week before final action is taken.

Re: Adoption of  
Ordinance: To amend  
Section 13-2.04 of  
the "Laws of  
Rockville", Chapter  
13, entitled "Human  
Rights Commission",  
to change the quorum  
requirements for  
conducting business

Ordinance No. 3-86

Councilman Duncan suggested to the Council that there should be a change in language in the ordinance so that at no time could there be a quorum of less

than five. The Mayor and Council discussed this at length and the various reasons why it would be included.

Councilman Duncan moved to amend the ordinance to change the language to include the wording "...but not less than five...". The motion failed for lack of a second.

On motion of Councilman Abrams, duly seconded and passed, only Councilman Duncan voting nay, Ordinance No. 3-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, changing the quorum requirements for conducting meetings on the Human Rights Commission was adopted.

The Mayor and Council requested the Clerk to ask the Human Rights Commission to consider a discussion on the number of members on the Commission at the upcoming work session.

Re: Award of Contract:  
City/County  
Directional Signs

In 1983, the City and County agreed to work together to develop a system of signs to direct motorists to government facilities in downtown Rockville and to direct pedestrians from parking lots and other key locations to various government buildings. Because of the City's Town Center Urban Design Plan and Graphics Identity Program, it was agreed that the City would take the lead in developing the signage system and the City and County would share the costs on a 40/60% basis. The cost sharing includes design, manufacture and installation.

Invitation to Bid were mailed to five sign manufacturing firms recommended by the City's sign consultant. Sealed bids were received and opened at 3:00 p.m. on January 27, 1986, in the Mayor and Council Chamber for fabrication and installation of directional signs to town center government office buildings.

<u>Firm</u>	<u>Bid Amount</u>
Colite Industries, W. Columbia, S.C.	\$ 43,474
Cornelius Architectural Products, Pittsburgh, PA	\$101,275



The estimated cost for this contract was \$53,000. When the low bid is combined with design costs of \$6,985, plus about \$2,000 in reviews by the City's consultant during the fabrication process, the total project cost comes to \$52,460.

Staff recommends an award to Colite Industries, Inc., in the amount of \$43,474 as low bidder for the fabrication and installation of directional signs for City and County office buildings in the Rockville town center per the specifications in Bid No. 16-86.

On motion of Councilman Duncan, duly seconded and unanimously passed, the bid for City/County Directional signs was awarded to Colite Industries, Inc., in the amount of \$43,474.

Re: Decision and Instructions to staff re:  
Abandonment Application, SCA-49-85,  
Hershey Investment Co., Applicant, requesting the abandonment of 9,682 square feet of land on Church Street

On motion of Councilman Abrams, duly seconded and unanimously passed, staff was instructed to draft the necessary legal documentation to grant Street Closing and Abandonment Application, SCA-49-85, according to the staff's recommendations.

Re: Briefing on I-270  
Noise Barriers

Ray Palfrey of the City staff, with slides and photographs, briefed the Council on noise barriers that would be placed on I-270 during the widening process in order to lessen the intrusion and impact to those persons adjacent.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Norma Duffin, PCA, re zoning matters

2. Horizon Hill Civic Assoc., re Falls/Kersey intersection

The Mayor and Council agreed to go ahead with forward funding and ask the State to continue monitoring it and at such time as the signal is warranted to seek reimbursement from the State.

3. C. Rand, re Congressional Towers Rent Increase

The Mayor and Council agreed to a meeting on February 19 at 7:00 a.m. with the Polinger Company if it can be arranged.

4. Karen Lechter, re Board of Appeals

5. Miscellaneous letters re Falls/Kersey intersection

6. Del. Forehand, re Economic Development and Tourism  
Copy of letter to Del. Forehand on this matter

7. Round Oak Missionary Church, re T.E.A.C.H.

8. Attorney General re suit settlement

9. County Executive, re solid waste facility

10. Rose Crenca, re noise problem

The Council asked that a copy of the information be sent to the citizen who complained about the noise. Councilman Duncan asked for an update on the County's new Noise Control Ordinance.

11. Herman Hartman, re miscellaneous matters

Mayor Van Grack asked about the idea of limiting citizen's forum. The Mayor and Council agreed this could be discussed at a later date.

12. D. E. Manoogian, re District Court parking

13. W. L. Hickman, re North Rockville school site acquisition

The Acting City Manager said he will report back on this and it can be placed on a future agenda.

Re: Information Items

The Mayor and Council noted the following items of information:

1. Memo on Rockville Pike Traffic Signal System

Councilman Hartogensis congratulated the staff on this very comprehensive report

2. Senior Center Newsletter

3. Testimony on Montgomery County CIP

4. Progressive Citizens Association information re parking on N. Stonestreet

Councilman Coyle asked if there is any additional information on this. The Acting City Manager said the Traffic and Transportation Commission will be reporting back to the Mayor and Council.

5. Report on Montgomery County Blue Ribbon Committee on Planning

6. Information on Carnivals

Councilman Abrams asked that this be placed on the agenda. The Mayor and Council agreed to this.

7. ACSC statistics

8. Status report on legislation of interest to Rockville

Councilman Coyle asked of the possibility of reopening discussion on the hotel/motel tax. The Mayor said that remains to be seen. He congratulated Acting City Manager Dan Hobbs on the fine job he did at the presentation.

Re: New Business

1. Councilman Abrams asked if the Mayor and Council would agree to support the Baltimore City Hand Gun Legislation SB412, HB1384 and HB1387. The Mayor and Council agreed a letter of support could be written for this.

2. Councilman Abrams asked if the Council would reconsider support of the Maryland Municipal League's legislative package concerning elections. The Mayor and Council discussed this at length since the last time it was on the agenda there was a 2-2-1 voting split by the Mayor and Council on the specific approaches to registration. After a long discussion, the Mayor and Council agreed that a letter would be sent to the State supporting the Maryland Municipal League's Legislative package.

3. Councilman Abrams drew attention to the Education Policy Statement that was made at the recent public hearing and suggested that the information base was unsatisfactory and some things had been over looked. After discussion, the Mayor and Council agreed it would be placed on the agenda for the next meeting. The Mayor and Council felt the hour was late so they postponed further

discussion and will address the situation after another meeting with the Education Commission.

4. Councilman Coyle noted he had received a memorandum from Chief Stout which clarifies statements made concerning the situation with the Twinbrook Neighborhood Watch and he would like it to be on the record that the clarification shows there had been a good deal of contact between the Police Department and citizens.

5. Councilman Abrams asked if there was any further information since the January 27 memo on the City's ability to issue tax free bonds. The Acting City Manager said when there is more information. It will be forwarded to the Council.

6. Councilman Abrams asked for additional information on the transfers being closed out of Ritchie Park Elementary since the same situation exists at Cold Springs where transfers have not been closed. He would like the staff to come back with information on this policy since it is not being applied uniformly.

7. Councilman Duncan noted a letter he had received questioning the fee structure at garden plots and should this be reconsidered. The Acting City Manager explained during budget sessions that the Mayor and Council may wish to re-address this.

8. Councilman Duncan noted that although he will be absent at the meeting of the 24th, he supports the idea of a Police Consultant.

9. The Mayor and Council noted the public hearings on elections will be held on Thursday, February 20 and Saturday, February 22.

Re: Adjournment

There being no further business to come before the Mayor and Council in general session, the meeting was adjourned at 1:20 a.m. on Tuesday, February 11, 1986, to convene again in general session on Monday, February 24, 1986, or at the call of the Mayor.